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AlipioArnel.rem

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FILED
DISTRICT COURT OF GUAM
JAN -9 2007
MARY L.M. MORAN
CLERK OF COURT

Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 06-00010
)	
Plaintiff,)	
)	
vs.)	PETITION TO REMIT SPECIAL
)	ASSESSMENT FEE
ARNEL S. ALIPIO)	[18 U.S.C. § 3573]
aka LEONARDO M. FRANCISCO)	
)	
Defendant.)	

COMES NOW the United States of America, by and through its undersigned counsel, and respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting the unpaid special assessment fee earlier imposed upon Defendant ARNEL S. ALIPIO aka LEONARDO M. FRANCISCO and in support hereof, states as follows:

1. On June 15, 2006, sentence was imposed by this Court against Defendant ARNEL S. ALIPIO aka LEONARDO M. FRANCISCO. Among other things, a \$100.00 special assessment fee was ordered. The total amount now owed by said Defendant is \$100.00.

2. Upon information received from the Immigration and Customs Enforcement Deportable Alien Control System (ICE/DACS), the defendant, ARNEL S. ALIPIO aka LEONARDO M. FRANCISCO, was deported to Philippines on June 28, 2006. See Exhibit "A."

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1 3. Section 3573 of Title 18, United States Code, as amended, provides in pertinent
2 part as follows:

3 Upon petition by the Government showing that reasonable efforts to
4 collect a fine or assessment are not likely to be effective, the court may, in the
interest of justice --

5 (1) remit all or part of the unpaid portion of the fine or special assessment,
including interest and penalties

6 4. The United States Attorney has determined that in light of Defendant's
7 deportation, there is no reasonable likelihood that expending further efforts to collect the special
8 assessment fee will produce any revenue to the United States. To the contrary, any further efforts
9 will needlessly expend resources that could be better directed to areas with greater potential for
10 recovery.

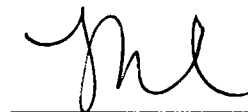
11 5. The interests of justice mitigate in favor of remission of the unpaid special
12 assessment fee.

13 WHEREFORE, the United States of America respectfully requests that this Court enter
14 an order remitting the unpaid special assessment fee imposed upon Defendant.

15 DATED this 8th day of January, 2007.

16
17 LEONARDO M. RAPADAS
18 United States Attorney
 Districts of Guam and NMI

19
20 By:



21 MARIVIC P. DAVID
22 Assistant U.S. Attorney
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A-NUM : 076209200
NATLTY: PHILILAST-NAME : ALIPIO
FIRST-NAME: ARNEL

DATE-DOCKET-CLEARED: 08/14/2006

DEPART-CLEARED-STAT: 9

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 06/28/2006

PORT-DEPARTED: AGA

DEPART-COUNTRY: PHILI

FINAL-CHARGE: I5A

EXPENSE-CODE: 5

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

